

## REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claim 16 is currently being amended to correct a clerical error. No new matter has been added.

This amendment changes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-41 are now pending in this application.

### ***Rejection under 35 U.S.C. § 103***

Claims 1-41 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,794,210 to Goldhaber et al. (“Goldhaber”) in view of U.S. Patent No. 5,913,304 to Rakavy et al. (“Rakavy”). Applicant respectfully traverses this rejection for at least the following reasons.

Independent claim 1 is directed to a rewarding method corresponding to a keyword object which is selected on a web page. Goldhaber and Rakavy fail to suggest at least the features of “(c) recording an event log correlating an identifier of the user, an identifier of the selected keyword object, date of selection and an event that the keyword object has been selected, when the server detects that the user of the user terminal unit has selected the keyword object,” and “(d) determining whether or not the number of keyword objects recorded in the event log exceeds a first predetermined value within a predetermined time period,” as recited in claim 1.

As noted in the Amendment filed on December 3, 2004, the event log records not only the date of selection of a keyword by a user, by also the date and time on which the selection was made. The selection of a key word within a predetermined time period (as, for example, one month) results in accumulation of certain number of points for every key word selected. Key words which were selected outside of the predetermined time do not count in

the point accumulation and thus do not count in the reward process (See, for example, instant specification, page 21, lines 1-19).

In contrast to claim 1, Goldhaber presents rewards immediately upon the user clicking on the “CyberCoin” and after the user has reviewed the advertisement and answered any questions or other information required by the advertiser. As stated in Goldhaber:

Upon successful completion of this process, an amount of digital currency may be deposited into the consumer’s digital cash repository 126, or alternatively, the consumer’s account may be credited and the advertiser’s account debited by financial clearing house computer 108 (Col. 16, lines 12-16).

Goldhaber provides no teaching of applicant’s specifically recited event log which includes not only the identifier of the user and the identifier of the selected object but also the date of selection. Moreover, Goldhaber does not provide any teaching of determining whether or not the number of objects recorded in the event log exceeds a predetermined value within a predetermined time period. Thus, Goldhaber fails to disclose or suggest features (c) or (d) as recited in claim 1.

The Patent Office apparently now recognizes that Goldhaber fails to disclose features (c) or (d), but now cites to Rakavy at col. 7, lines 51-53, col. 12, lines 61-65, and col. 13, lines 2-3 for curing the deficiencies of Goldhaber. Applicants respectfully disagree. The cited sections of Rakavy merely disclose a Scheduler 265 that schedules the display of time dependent ads, a Feedback Manager 220 that sends feedback information, such as the time of display, back to an Advertising System Server 600, and calculating an advertiser’s charge based on the feedback information.

Rakavy does not suggest modifying Goldhaber to include feature (c) of “recording an event log correlating an identifier of the user, an identifier of the selected keyword object, date of selection and an event that the keyword object has been selected, when the server detects that the user of the user terminal unit has selected the keyword object.” Rakavy does not record a date of selection of a keyword object by a user, but merely disclose the scheduling of a time dependent advertisement. Moreover, while Rakavy discloses charging an advertiser for the length of time an ad was displayed, Rakavy says nothing about providing

rewards to a user based upon keyword object selection. Thus, even if combined, Goldhaber and Rakavy do not suggest feature (c).

The Patent Office recognizes that neither Goldhaber and Rakavy disclose feature (d) of “determining whether or not the number of keyword objects recorded in the event log exceeds a first predetermined value within a predetermined time period,” but argues that such a feature would have been obvious. Applicants respectfully disagree.

Goldhaber emphasizes that rewards to a user should be immediate (See col. 10, lines 63-65), and thus teaches away from a system where a number of keyword objects must be recorded within a certain time period before a reward is offered.

While Rakavy discloses that an advertiser be charged for the length of time an ad is displayed, Rakavy says nothing about determining a reward based on user selection of a number of keyword objects within a certain time period.

Finally, the Patent Office has provided no evidentiary basis for feature (d) being disclosed in either Goldhaber or Rakavy, but merely asserts this feature would have been obvious. If the Examiner maintains this rejection, applicants request the Patent Office to provide such evidentiary support.

Independent claim 25 has features corresponding to those discussed above with respect to claim 1 in the context of a server, and is patentable for analogous reasons.

The dependent claims are patentable for reasons analogous to their respective independent claims, as well as for further patentable features recited therein.

It is thus submitted that the application is now in condition for allowance and an early indication of same is earnestly solicited.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date September 23, 2008

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5407  
Facsimile: (202) 672-5399

By Thomas G. Bilodeau

Thomas G. Bilodeau  
Attorney for Applicant  
Registration No. 43,438